

PTO/SB/21 (09-04)

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*Bjw*

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	33	Attorney Docket Number	14364US15
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### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Litigation Statement Pursuant To MPEP §2001.06(C) and Information Disclosure Statement <input checked="" type="checkbox"/> 2 copies of PTO/SB/08A, and copy of cited foreign reference <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return-Receipt Postcard <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	McAndrews Held & Malloy, Ltd.		
Signature	<i>K. E. - B</i>		
Printed Name	Kevin E. Borg, Reg. No. 51,486		
Date	May 3, 2006		

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 05/03/2006

Name (Print/type)	Kevin E. Borg	Registration No. (Attorney/Agent)	51,486
Signature	<i>K. E. - B</i>		Date
		05/03/2006	



Attorney Docket No. 14364US15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Joseph J. Kubler et al.

Serial No. 10/783,873

Filed: February 20, 2004

For: Hierarchical Data Collection Network  
Supporting Packetized Voice  
Communications Among Wireless  
Terminals And Telephones

Examiner: Chin, Wellington

Group Art Unit: 2616

Confirmation No.: 7542

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on May 3, 2006.

*(C. E. B.)*

Kevin E. Borg  
Reg. No. 51,486

**LITIGATION STATEMENT PURSUANT TO MPEP § 2001.06(C) and INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The owner of record of the present application, Broadcom Corporation, is currently involved in a patent infringement action with Qualcomm, Inc., Civil Action No. 05-467, pending in the Central District of California.

Pursuant to MPEP 2001.06(c), the Applicants would like to bring to the attention of the U.S. Patent and Trademark Office that the subject matter currently being claimed in the present application may be related to at least one of the patents currently asserted by Broadcom in the above-mentioned lawsuit. For the Office's benefit, Applicants enclose as Exhibit A a list of the patents currently asserted by Broadcom in the above-mentioned pending action.

The Applicants also encloses as Exhibit B a completed PTO form PTO/SB/08A which has one (1) page, as well a copy of each printed reference listed in the enclosed form PTO/SB/08A. Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Sixteen (16) references are enclosed.

Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Sixteen (16) references are enclosed.

The references being submitted have been either cited, produced or relied upon by Qualcomm thus far during the above-mentioned actions. This submission is in no way intended as an admission that the submitted references constitute prior art under any subsection of 35 U.S.C. §102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the enclosed PTO/SB/08A and return one copy to the applicants to indicate consideration of the enclosed references.

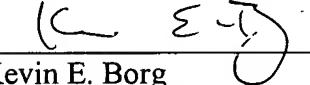
No fee is believed to be due because:

- \* The applicant(s) believe(s) that this statement and enclosures are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

Date: May 3, 2006

  
\_\_\_\_\_  
Kevin E. Borg  
Reg. No. 51,486  
McAndrews, Held & Malloy, Ltd.  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661  
(312) 775-8000



**Patents Currently Asserted by Broadcom in Civil Action No. 05-467 (CD Cal.)**

5,425,051  
5,657,317  
6,285,865  
6,389,010  
6,847,686



PTO/SB/08A (08-03)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

<b>Complete if Known</b>	
<b>Application Number</b>	10/783,873
<b>Filing Date</b>	February 20, 2004
<b>First Named Inventor</b>	Joseph J. Kubler et al.
<b>Group Art Unit</b>	2616
<b>Examiner Name</b>	Chin, Wellington
<b>Attorney Docket No.</b>	14364US15

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	B1	PCT/WO91/08629	06-13-1991	Berken		

## OTHER ART -- NON PATENT LITERATURE DOCUMENTS

EXAMINER'S NON-PAVENT INVENTION DOCUMENTS		
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

EXAMINER SIGNATURE		DATE CONSIDERED	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible.

<sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.  
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**THIS ADDRESS.** Send TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Rev. Sept. 03

J:\Open\phs\Broadcom (1772)\Qualcomm\Santa Ana 05-467 Litigation Statement & IDS\5,657,317 and 6,389,010 - VoIP\No Fee\14364US15\14364US15 PTOSB08A.doc